

## **EXHIBIT 12**

AK-4

**Sexton, Brian**

**From:** Brian Sexton [bsfarmer61@yahoo.com]  
**Sent:** Monday, May 02, 2011 2:15 PM  
**To:** Smith, Eric; Sexton, Brian  
**Cc:** John P. Kanan; Roznowski, Jennifer C.  
**Subject:** trustee removal

EXHIBIT 35  
WIT: Sexton  
DATE: 5-30-12  
MARIE FUCHEL, CSR, CRR

I believe that your actions on Friday in refusing to seat Bob Fitch and Jim Skiba as directors of the company and removing Rob Karsten and me as Trustees of the ESOP are violations of ERISA and the Michigan Business Corporations Act and other state and federal laws, I plan to bring these violations to the attention of the U.S. Department of Labor and Michigan Department of Licensing and Regulatory Affairs unless they are immediately remedied."

Brian Sexton